

APR 07 2016

Ohio Boulevard

"Park" is main artery for city. **CITY CLERK**

By Howard Greninger

From its stone entrance and fountain at 19th Street, Ohio Boulevard is literally a residential city park extending into Deming Park at Fruitridge Avenue.

"Sooner or later, you see just about everybody in Terre Haute as they ride a bike, walk by or skateboard. It's a main artery in the city," said C. Don Nattkemper, an attorney and 20-year resident on the boulevard. "It is very hard to get yard work done because people come by and stop or honk their car horn or wave.

"It just seems like a magnet for people to get out and get about," he said.

The boulevard's 80-foot wide medians are actually 46.1 acres of city-owned and maintained park ground. The medians, and the sidewalk across the road on the north and south sides, are a natural attraction for joggers or people walking their dogs.

The first half mile of the boulevard, developed from 19th Street to 25th Street, is lined with 20th century revival architectural style, including two-story Colonial-, Tudor- and Mediterranean-revival homes, built in the 1920s. Nattkemper's home, in the 2100 block, was built in 1924. The home has its original tile roof.

The entire boulevard is scattered with ranch-style homes built in the 1940s through the late 1960s, property assessment records show. New single-family condominiums and single-family homes are being built this year along the south side of the boulevard on land across from Deming Park.

Janet and Frank Volkers lived at 19th and Ohio Boulevard for nine years before moving to their current home of five years at 21st and Ohio. Their business, the Volkers Group, is nearby at 11th and Ohio streets.

"Frank and I like it because of the three C's - convenience; comfort in the fact that we have big yards and mature trees; and classic. It's like owning a good old car. I'm an urbanite instead of a suburbanite. I really like living in the city," Janet Volkers said.

"It's really lovely and the boulevard gives a nice sense of space to the whole neighborhood. No one is really close to you," she said.

The Deming Land Co. - Demas Deming Jr., president, and L.E. Waterman, secretary - platted "Deming subdivision" on April 23, 1919, Vigo County surveyor records show. Its borders were Wabash Avenue, Poplar Street, 19th Street and Fruitridge Avenue. A stone gateway at 19th Street was built by the Terre Haute Monument Co. It was completed a month later, according to the May 24, 1919, Saturday Spectator. The Deming platted map shows the gateway fountain's original site between double columns at 19th Street. The fountain later was moved east to its present location on a teardrop-shaped section of the median between 19th and 20th streets.



Tribune-Star/Jim Avelis

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OHIO BOULEVARD FAST FACTS

- Ohio Boulevard starts at 19th Street, where it is narrowest at 106 feet wide. It expands to 190 feet wide at 20th Street, extending east to Fruitridge Avenue. That includes an 80-foot wide median, which is city park land. The streets are 30 feet wide with a 25-foot set back for a tree row and sidewalks.

- The boulevard is 1.5 mile long. It was designed by nationally renowned landscape architect and city planner George E. Kessler.

- Ohio Boulevard was placed on the National Register of Historic Places in 1989.

- The entrance fountain near 19th Street and Ohio Boulevard was restored and dedicated as part of "Remembrance Plaza" on Sept. 11, 2002, to honor those killed during terrorists attacks in New York City and Washington, D.C., the year before.

- Before the Ohio Boulevard project, a narrow median extended from 10th Street east to 19th Street, lined with catalpa trees.

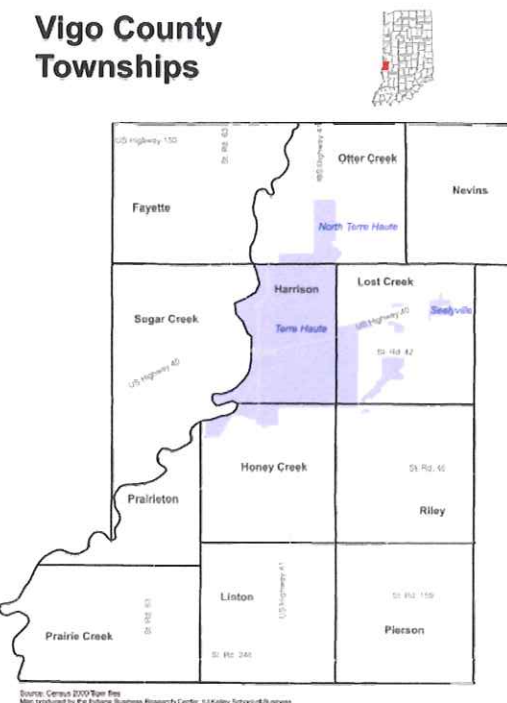
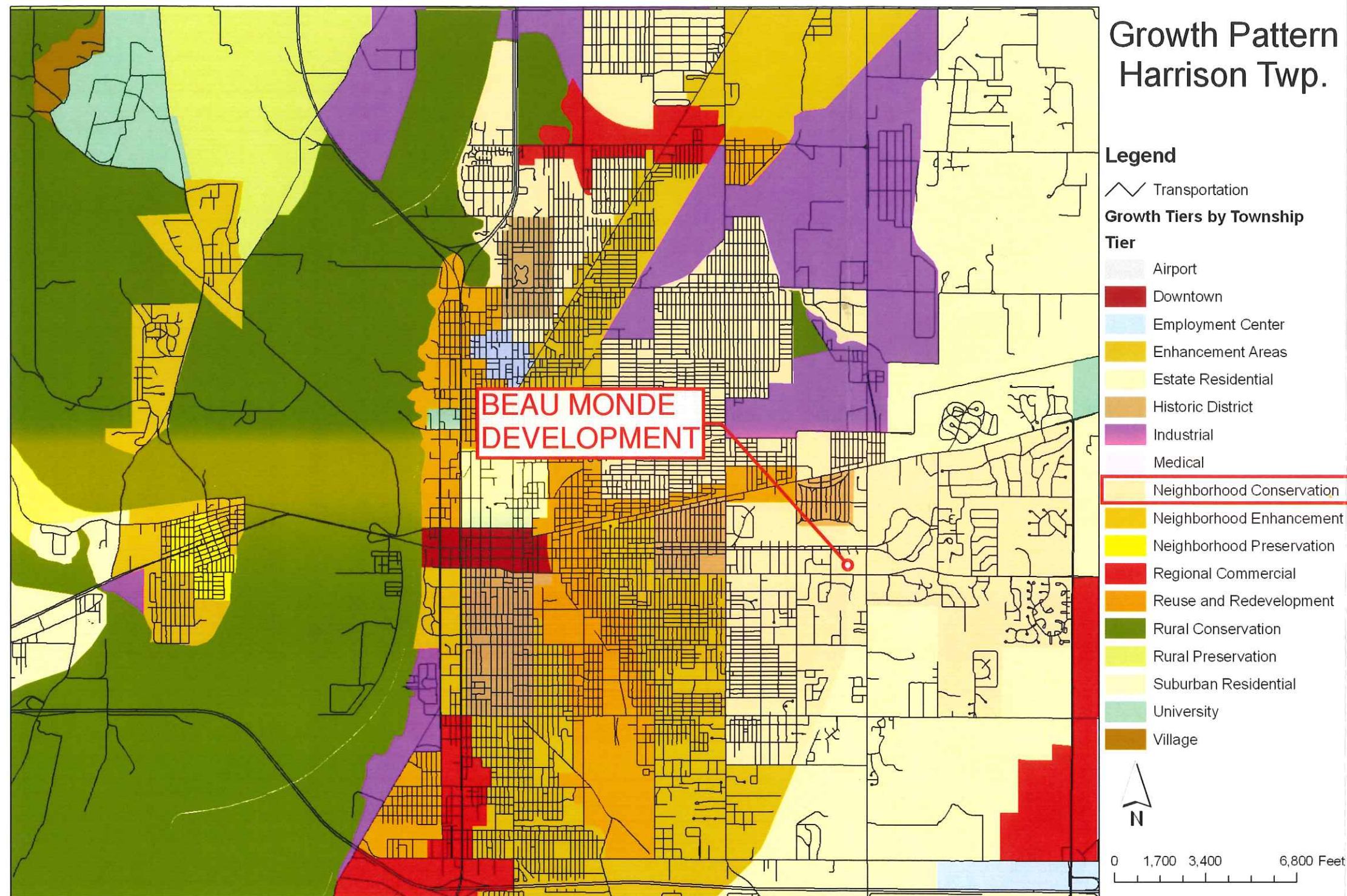
Source: Vigo County Historical Society, Vigo County Surveyor Records

Original lot prices on the boulevard ranged from \$2,700 for a 45- by 120-foot lot to \$7,200 for a 90- by 120-foot one.

Construction on the boulevard started in 1921, with the second half, stretching one mile from 25th Street to Fruitridge Avenue, completed in 1922. The second section began after the city paid \$156,000 in 1921 to Demas Deming for land to create Deming Park.

In a flier at the Vigo County Historical Museum, the Deming Land Co. touts its new project as taking protective measures to guard property values. They include a "building line, no billboards, no roofs of wooden shingles or roll roofing, no cows, no stores or business buildings, no old houses moved to the lots, established grade of lots above which a neighbor cannot fill in with dirt from excavation, all downspouts connect with sewer, no high-board fences and one house to a lot except on corners."

Map 5: Harrison Township Future Land Use Map



residential development. Density, per se, is increasingly viewed by development professionals as only one of many variables that must be considered in making site development decisions. The infrastructure capacity relative to undeveloped areas and special environmental conditions of a specific development site as well as the site plan itself and its impact on surrounding property should primarily control the developed density. This should especially be the case as development moves beyond minimum residential densities. In all cases, density and the arrangement of uses on a developed site should be sensitive to surrounding development patterns, making land use transitions within the new development and utilizing natural features as transitions or buffers.

Policies for Suburban Residential areas should include:

- Houses on lots ranging from one-half to two acres depending on wastewater treatment needs;
- The extent of non-residential uses should be limited to parks, churches, and schools;
- Residential subdivision lots should not have frontage on county roads, rather they should be required to build local level public streets to provide access from the county road to the lots; and,
- Medium range plans for expanding needed infrastructure should be developed, considering projected demand and funding.

Neighborhood Conservation

These areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed (or expected to be in a relatively short timeframe). Where new infill development is proposed, it should be entirely consistent and compatible with pre-existing developments. However, special public attention may, in some cases, be required to assure that drainage, sidewalk improvements, and linkages to pedestrian and bicycle trails are made. Many of these neighborhoods may be excellent candidates for special assessment districts for neighborhood improvements and amenities.

In addition, these areas encompass existing retail activity nodes located throughout the community. In general, these commercial areas have evolved in an unplanned, largely uncoordinated manner along frontage of primary arterials. Within these commercial bands, a great variety of activities exist which target different markets. Some activities are oriented toward "drive-by" markets, fast food restaurants, convenience stores, gasoline stations, drive-in banking facilities, for example. Other activities are special-purpose, oriented to single trips rather than comparative multi-purpose shopping. These single purpose

stores serve a market larger than a single neighborhood. Sales and service of automobiles, trucks, boats, recreational vehicles and related activities are special purpose region-serving activities. They require a large site with good visibility. Finally, commercial areas include a range of neighborhood level retail activities including grocery stores, pharmacies, personal services such as hair styling, and other frequently purchased goods and services.

Additional policies for Neighborhood Conservation areas should include:

- Allow for a range of housing densities based on the zoning ordinance;
- Allow for a mix of uses, focusing on neighborhood and community serving commercial nodes;
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city;
- Reuse of commercial oriented structure should be limited to retail activities that contribute to the diversity and variety of retail uses in a commercial node;
- With respect to existing commercial "strips" – i.e. narrow bands of commercial uses occupying major roadway frontage, the limitation of additional or new commercial uses is strongly advised;
- Geographic expansion of these commercial "strips" should be limited to the provision of additional space to ensure the compatibility with adjacent uses, not an intensification of use; and,
- Improved landscaping, improved pedestrian amenities, and increased attention to lighting, signage, and impacts upon nearby residential areas should be examined in the review of development petitions.

Neighborhood Enhancement Areas

Areas that qualify as Neighborhood Enhancement Areas represent residential districts with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within Terre Haute, West Terre Haute, Seelyville, and Riley.

Residential neighborhoods that are in need of rehabilitation should receive priority efforts such as public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public right-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Ultimately, incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial reuse or redevelopment may not be

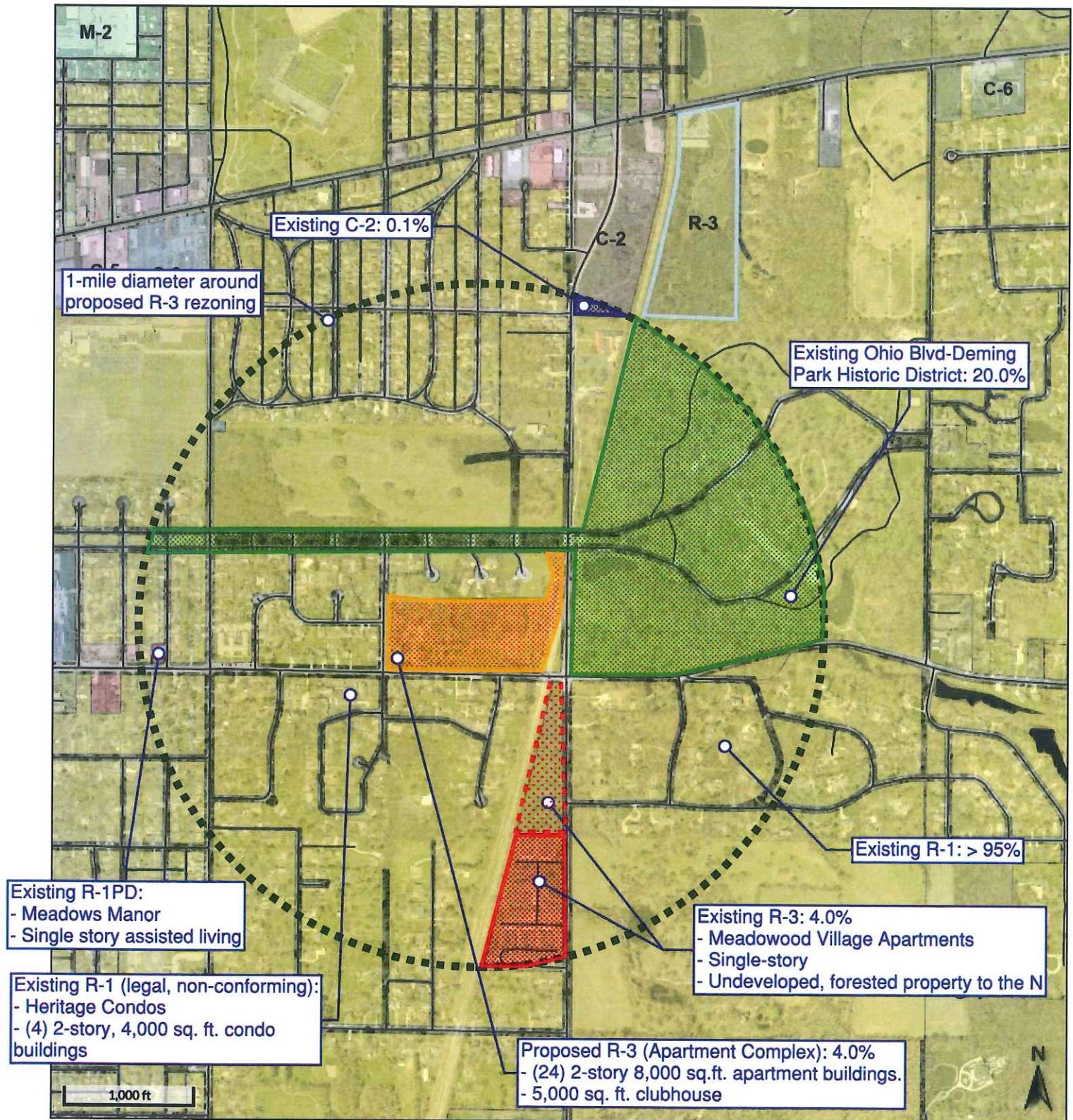


BeaconTM

Vigo County, IN / City of Terre Haute

CURRENT ZONING

Created by: B. PAYNE



- (C) Freestanding Sign. One (1) freestanding sign may be permitted per establishment frontage, not to exceed thirty-five feet (35') in height, and shall not project more than one foot (1') into the public right-of-way.
- (D) Marquees. Signs may be on the vertical face of a marquee, but shall not extend below the lower edge or the upper edge of the marquee, nor exceed seven feet (7') in height. The bottom of the marquee sign shall be no less than ten feet (10') above a walkway, or grade at any point.
- (E) Height Clearance. All signs shall have a minimum clearance of ten feet (10') above a walkway and fifteen feet (15') above a driveway or alley.
- (F) Sign Content. Signs shall be limited to identifying or advertising the property, the individual enterprises, the products or services, or the entertainment available on the same property where the sign is located.

n. Administration.

The following shall apply in the administration of these sign provisions:

(1) FEE AND IDENTIFICATION. Fees may be charged for sign permits and for annual inspection. Permits for signs become null and void if the sign is not completed within six (6) months. In the lower right hand corner of signs erected under permits, the Building Inspector may require identification as to permit number and date, the name of the person or firm owning and responsible for the sign, or any other information.

(2) REMOVAL OF SIGNS. In addition to any other provisions, the Building Inspector may require the removal of signs that present an immediate threat to the public safety, or is not kept in good repair and an attractive condition, becomes insecure or unsafe, has been unlawfully installed or maintained, has for at least two (2) years identified or advertised an activity no longer conducted on the premises, or for other lawful reasons. The Building Inspector may require immediate removal if a public safety threat is imminent, or permit fifteen (15) days in other situations. Upon failure to comply, the Building Inspector may remove the sign at the expense of the owner.

Sec. 10-142 Spot Zoning, Illegal.

SPOT ZONING or PIECE MEAL ZONING as it is commonly and properly known and understood, is recognized as being unconstitutional and void on the general ground that it does not bear a substantial relationship to the public health, safety, morals, general welfare or orderly growth and further that it is inconsistent and in direct conflict with this comprehensive zoning ordinance. Spot zoning can further be identified where a particularly small parcel or lot of ground is singled out and placed in a zone, the use of which is inconsistent with the small lot or area so placed and whose classification is changed in the ordinance or where special benefits are sought to be conferred on a particular property owner, or special hardships are sought to be

imposed upon particular property owners. Any gross inconsistencies and/or injustices incurred by property owners may be righted by due process of law as outlined in this comprehensive zoning ordinance by petitioning for a variance or an exception as the case may be. Spot zoning is not, and shall not be interpreted so as to prohibit or limit or prevent the creation of small general utility or business zones at the corners of major thoroughfares, providing at each corner the lots affected are contiguous one to the other, for the purpose of placing within convenient distance of the inhabitants of the residential neighborhood certain limited small businesses, providing daily conveniences and necessities for the home. (Ord. No. 1, 1967, § 1127.13, 7-6-67)

Sec. 10-143 Performance Standards.

a. **General.**

All uses in the M-1 (Light Industrial) District and the M-2 (Heavy Industrial) District shall conform to the standards of performance described within this Section below and shall be so constructed, maintained, and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the omission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire, and explosive hazard or glare.

b. **Definitions.**

For the purpose of this Section, certain terms and words shall be interpreted and defined as follows:

(1) **Decibel.** A unit of measurement of the intensity of loudness of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

(2) **Flash Point.** The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will burn momentarily using the closed cut method.

(3) **Foot-Candle.** A unit of illumination. It is equivalent to the illumination at all points which are one foot (1') distant from a uniform source of one (1) candle-power.

(4) **Free Burning.** A rate of combustion described by a material which burns actively and easily supports combustion.

(5) **Intense Burning.** A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

(6) **Moderate Burning.** A rate of combustion described by a material which supports combustion and is consumed slowly as it burns.

(7) **Octave Band.** A term denoting all of the frequencies from one given frequency to a second. In sound bands, the second frequency is usually twice the first one.

Spot Zoning

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May 1998

Spot zoning occurs when a relatively small tract of land is zoned differently from the surrounding area. In North Carolina, spot zoning is not illegal in and of itself, as it is in many states.^[1] However, it must be clearly supported by a reasonable basis to be upheld.

The precise legal basis for invalidating certain spot zonings has not been explicitly set forth by the North Carolina courts, but invalidation could be based on the state constitutional prohibitions against the granting of exclusive privileges,^[2] the creation of monopolies,^[3] or the violation of due process or equal protection of the law.^[4] The admonition in the zoning enabling acts that zoning be in accordance with a comprehensive plan is another ground for invalidation.^[5] Although flexibility is granted to have relatively small zoning districts, the court is sensitive to ensuring that there is a legitimate public interest in having a small district and will invalidate rezonings in which one owner benefits or is relieved from zoning burdens at the expense of his or her neighbors and the community at large.

The table below summarizes the eighteen reported North Carolina appellate decisions on spot zoning.

Overview of Spot Zoning Cases

Case	Court	Date	Parcel Size (acres)	Zoning Change
Invalidated				
Allred	Sup.Ct.	1971	9.26	To higher density residential
Blades	Sup.Ct.	1972	5	To higher density residential
Stutts	Ct. App.	1976	4	To mobile home park
Lathan	Ct. App.	1980	11.4	Residential to light industry
Godfrey	Ct. App.	1983	17.45	Residential to heavy industry
Alderman	Ct. App.	1988	14.2	Agricultural to mobile home park
Mahaffey	Ct. App.	1990	0.57	Residential to commercial

Covington	Ct. App.	1992	1 lot	Office to conditional use business
Budd	Ct. App.	1994	17.5	Residential-agricultural to special use industrial
Upheld				
Walker	Sup.Ct.	1960	3.5	Residential to neighborhood business
Zopfi	Sup.Ct.	1968	27, 12, 20	Commercial/residential to commercial/multi-family residential
Heath	Sup.Ct.	1971	15	Residential to mobile home park
Allgood	Sup.Ct.	1972	25	Residential to commercial
Graham	Ct. App.	1982	30.3	Residential to office/conservation
Nelson	Ct. App.	1986	1 lot	Residential to business
Chrismon	Sup.Ct.	1988	5, 3	Agricultural to conditional use industrial
Dale	Ct. App.	1991	4.99	Residential to highway commercial
Purser	Ct. App.	1997	14.9	Residential to conditional use commercial

Definition

Rezoning that will be subjected to more intensive review as spot zoning were simply and concisely defined in North Carolina's first case on the subject, *Walker v. Town of Elkin*, as zoning "changes limited to small areas."^[6] In 1968 in *Zopfi v. City of Wilmington*,^[7] a case that upheld rezoning of a 60-acre parcel into three zoning districts, the court ruled that illegal spot zoning arose "where a small area, usually a single lot or a few lots, surrounded by other property of similar nature, [was] placed arbitrarily in a different use zone from that to which the surrounding property [was] made subject."^[8] Four years later in *Blades v. City of Raleigh*,^[9] a case that invalidated a 5-acre rezoning, spot zoning was more completely defined thus:

A zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the smaller tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected, is called "spot zoning."^[10]

There are several notable aspects to this definition. First, spot zoning can be an issue with initial zoning as well as with subsequent rezonings. Second, no specific minimum or maximum size of area constitutes spot zoning. The size of the tract must be considered relative to the surrounding area. A 20-acre rezoning in a rural setting where that tract and thousands of adjacent acres have previously been zoned the same way may be spot zoning, whereas a 1-acre rezoning in a dense urban setting with numerous zoning districts may not be spot zoning. In the North Carolina cases that have resulted in invalidation of rezonings as illegal spot zoning, the size of tracts involved has ranged from 0.57 to 17.45 acres. Third, there is an emphasis on a very limited number of property owners being involved, "usually triggered by efforts to secure special benefits for particular property owners, without regard for the rights of adjacent landowners."^[11] A large number of affected parties is more likely to bring the rezoning to broader public scrutiny. Fourth, spot zoning can be involved when the proposed new zoning requirements for the small area are either more or less strict than those for the surrounding area. The key element is that the

proposed zoning is different from the other zoning, "thus projecting an inharmonious land use pattern." [12] In sum, the heightened scrutiny of spot zoning applies when there is the appearance of possible discriminatory treatment (either favorable or negative) for a few, rather than a decision based on the larger public interest.

Factors in Validity

A local government adopting a "spot" zone has an affirmative obligation to establish that there is a reasonable public policy basis for doing so. [13] Thus the public hearing record should reflect consideration of legitimate factors for differential zoning treatment of the property involved. Does the property have different physical characteristics that make it especially suitable for the proposed zoning, such as peculiar topography or unique access to roads or utilities? Are there land uses on or in close proximity to the site that are different from most of the surrounding property? Would the proposed range of newly permissible development be in harmony with the legitimate expectations of the neighbors?

In *Chrismon* the court set out in detail four factors that are considered particularly important by the courts in determining whether there is a reasonable basis for spot zoning:

At the outset, we note that a judicial determination as to the existence or nonexistence of a sufficient reasonable basis in the context of spot zoning is, and must be, the "product of a complex of factors." The possible "factors" are numerous and flexible, and they exist to provide guidelines for a judicial balancing of interests. Among the factors relevant to this judicial balancing are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Once again, the criteria are flexible, and the specific analysis used depends on the facts and circumstances of a particular case. [14]

A review of North Carolina litigation illustrates the application of these factors to spot zoning challenges of rezonings.

Size of Tract

The first factor to be considered in determining whether spot zoning is reasonable is the size of the tract. The general rule is that the smaller the tract, the more likely the rezoning will be held invalid. However, it is very important to consider the size of the tract in context: a 1-acre parcel may be considered large in an urban area developed in the 1920s, but very small in the midst of an undeveloped rural area.

The rezoning of an individual lot from a single-family and multifamily residential district to a business district was upheld in *Nelson v. City of Burlington*. [15] In this instance the majority of property directly across the street was already zoned for business use, and the court concluded that given

the prevalence of business zoning in the immediate vicinity of this lot, there was "some plausible basis" for the rezoning.^[16] However, a rezoning of 17.6 acres from residential agricultural to industrial was held to be spot zoning in *Budd v. Davie County*.^[17] was ruled impermissible spot zoning (the site was some four to five miles from the nearest industrial zone, with all of the intervening property being in residential districts). A 17.45-acre rezoning was ruled to be impermissible spot zoning in *Godfrey v. Union County Board of Commissioners*.^[18] This case involved a rural tract that was zoned for single-family residential use, as was all of the surrounding property, and the rezoning was to an industrial district. Similarly in *Alderman v. Chatham County*,^[19] the rezoning of a 14.2-acre tract from a residential district to a mobile home park, when the surrounding 500 acres were residentially zoned, was ruled to be spot zoning.

The fact that other small areas nearby have similar zoning to that proposed in a rezoning will not avoid a spot zoning label. The tract to be rezoned is considered in relation "to the vast majority of the land immediately around it."^[20]

Compatibility with Plan

The second factor in a spot zoning analysis is compatibility with the existing comprehensive zoning plan. This involves an inquiry into whether the rezoning fits into a larger context involving rational planning for the community. Whether set forth in a formal comprehensive land-use plan or reflected in an overall zoning scheme, zoning regulations must be based on an analysis of the suitability of the land for development (e.g., topography, soil types, wetland locations, and flood areas), the availability of needed services (e.g., water, sewers, roads, and rail lines), and existing and needed land uses. To the extent that a small-area rezoning fits into a logical preexisting plan that is clearly based on this type of analysis, it is much more likely to be upheld.

An example of a zoning scheme involving relatively small parcels that was judged acceptable because it fit the context of the land and the surrounding uses is found in the Zopfi case. The court upheld the rezoning of a 60-acre triangle formed by two major highways, into three zoning districts with decreasing density moving away from the point of the highway intersection. A 27.5-acre parcel at the point of the intersection was zoned commercial, the next 12 acres were zoned for multifamily residential use, and the remainder were zoned for single-family residential use. Similarly in the Nelson case the rezoning of a lot from single-family and multifamily residential use to business use was upheld on the basis that the majority of the property directly across the street was already zoned for business use.

A contrast is provided by situations in which there is no discernible reason to single out a small tract for differential zoning treatment. Several North Carolina cases illustrate this point.

In *Stutts v. Swaim*^[21] the town of Randleman had in 1967 zoned virtually all of its entire half-mile extraterritorial zoning jurisdiction (some 500 acres) for one- and two-family residences. An attempt in 1968 to rezone a 4-acre tract to a mobile-home zoning district, when there were no special characteristics present on that site, was ruled invalid spot zoning.

A similar situation was presented in *Lathan v. Union County Board of Commissioners*.^[22] In this 1980 case an 11.4-acre rezoning from residential to industrial use was ruled to be invalid spot zoning. A sawmill on the site was being operated as a nonconforming use, and the rezoning was necessary to accommodate the facility's expansion. The site had no access to major highways, rail lines, or public utilities, and the planning director concluded that industrial development would be incompatible with the surrounding residential community. Nevertheless the planning board recommended that the tract be rezoned as requested.^[23] The Union County commissioners agreed with the planning board's recommendation and adopted the rezoning. The adjacent landowner then sued and won in court. The court of appeals ruled that no special features on the tract made it any more suitable for industrial use than the surrounding property was. The rezoning was invalid spot zoning because there was no clear showing of a reasonable basis for the rezoning.

In *Godfrey v. Union County Board of Commissioners*,^[24] another Union County rezoning was successfully challenged on similar grounds. The comprehensive plan designated the area as a low-density residential district, and the nearest industrial uses were approximately a half mile away. The owner sought rezoning to heavy industrial use because he wanted to relocate a grain-bin operation to the site. The planning director recommended approval of the rezoning from residential to industrial use based on the site's accessibility to a major highway, a railroad, and public water. The planning board approved the recommendation, and it was narrowly adopted by the county commissioners. The court invalidated the rezoning, finding that the "whole intent and purpose . . . was to accommodate his plans to relocate his grain bins, not to promote the most appropriate use of the land throughout the community."^[25] The court acknowledged the availability of some services that would make this tract suitable for industrial development, but concluded that the same was true of the surrounding property and because this tract was "essentially similar," there was no reasonable basis for zoning it differently.

Mahaffey v. Forsyth County^[26] illustrates the growing importance of a formal comprehensive plan and the recommendations of the planning board in spot zoning analysis. In this 1990 case a 0.57-acre tract was rezoned from a residential and highway-business district to a general-business district (both the prior highway-business district and the new general-business district were special use districts). The comprehensive plan designated the area as "predominantly rural with some subdivisions adjacent to farms." The planning staff and the planning board recommended against the rezoning, but it was adopted by the board of commissioners. In ruling the action to be illegal spot zoning, the court pointedly noted, "[T]he County Planning Board and Planning Board Staff, made up of professionals who are entrusted with the development of and adherence to the comprehensive plan, recommended denial of the petition." ^[27]

A similar result was reached in *Covington v. Town of Apex*,^[28] in which the rezoning of a single lot from office and institutional use to conditional-use business was held to be impermissible spot zoning. The court concluded that the rezoning contradicted the town's policies on location of industrial uses, as set forth in the comprehensive plan. The court also found minimal benefit to the public and substantial detriment to neighbors.

In *Budd v. Davie County*^[29] the rezoning of a fourteen-acre site along the Yadkin River, along with a half-mile long, sixty feet wide accessway, from residential-agricultural to industrial to

accommodate a sand mining operation was invalidated in part because it directly contradicted the previously adopted policies for the area. The zoning ordinance's stated intent for the Rural-Agricultural District was to maintain a "rural development pattern" with an aim "clearly to exclude commercial and industrial uses."^[30] Based on such considerations, the planning board twice recommended denial of the rezoning petition. The court held the rezoning was in direct contravention of the stated purpose of the comprehensive zoning scheme and this factored into invalidation of the rezoning.^[31]

On the other hand, consistency with a comprehensive plan can justify differential zoning for a small tract.

In *Graham v. City of Raleigh*,^[32] a 1981 case, the rezoning of a 19.3-acre tract from a residential to an office district was upheld in part based on the need to rezone the property in accordance with the nodal concept of development of Raleigh's comprehensive plan.^[33]

It should be noted that formal amendment of an inconsistent comprehensive plan is not necessarily required to avoid a finding of illegal spot zoning, though a reasonable basis for the deviation must be established. In *Purser v. Mecklenburg County*^[34] the court upheld a rezoning of a 14.9 acre tract from residential to a business conditional use district to allow construction of a neighborhood convenience center. The county's small area plan for the site indicated a nearby, but different site, was suitable for such a center. However, testimony at the public hearing indicated the suitability of the other site was dependent upon construction of as yet un-built roads and that shifting a center to the site in question would be consistent with the policies in the county's general development plan.

Benefits and Detriments

The third factor in spot zoning analysis is who benefits and who is harmed by the rezoning and what the relative magnitude of each consequence is. If the rezoning is granted, will it greatly benefit the owner? Will he or she be seriously harmed if it is denied? The same questions must be asked for the neighbors and the community at large, and then the effects on all three must be balanced. In a spot zoning challenge the courts, rather than the governing board alone, review and weigh the balance of harm and benefit created by the rezoning.

Although the court may be sympathetic to a situation in which there is considerable benefit to the owner and only modest harm to others, even a substantial benefit for the owner will not offset substantial harm to others. An example is found in the rezoning ruled invalid in *Blades*. This case involved rezoning a 5-acre tract in the midst of a large single-family zoning district to a multifamily district in order to allow twenty townhouses to be built. The court found that no reason was offered to treat this property differently and that considerable harm to the character of the existing neighborhood might result.^[35]

The Chrismon case illustrates the other side of this analysis. The court noted:

[W]hile spot zoning which creates a great benefit for the owner of the rezoned property with only an accompanying detriment and no accompanying benefit to the community or

to the public interest may well be illegal, spot zoning which provides a service needed in the community in addition to benefiting the landowner may be proper.[36]

In *Chrismon* the rezoning of a 3-acre and a 5-acre tract from an agricultural district to a conditional-use industrial district in order to allow an agricultural chemical use was upheld. The court weighed the benefit to the owner, the harm to the immediately adjacent neighbor, the broad community support for the rezoning, and the need for these services within the surrounding agricultural community, and concluded that there were "quite substantial benefits created for the surrounding community by the rezoning." [37]

The benefits to the community must, however, be real and substantial, not merely convenient. For example, in the *Mahaffey* case it was argued that rezoning a 0.57-acre tract to allow establishment of an auto parts store would be beneficial to a rural community in which virtually everyone depended on automobiles. The court rejected this argument, noting, "[A]uto parts are a common and easily obtainable product and, if such a retail establishment were said to be 'beneficial to a rural community,' then virtually any type of business could be similarly classified." [38] Likewise, in *Budd* the court ruled generalized benefits from increased business activity related to operation of a sand mine did not offset harm to neighbors that would have been generated by substantial heavy truck traffic in a rural residential area. [39]

Relationship of Uses

The fourth factor in spot zoning analysis is the relationship between the proposed uses and the current uses of adjacent properties. The greater the disparity, the more likely the rezoning is to be held illegal.

This was a consideration in the court's invalidating the rezonings in the *Lathan*, *Godfrey*, and *Budd* cases, even though all three situations involved relatively large acreage (11.4 acres, 17.45 acres, and 17.6 acres respectively). In these cases the rezoning was from low density residential to industrial use. Given the magnitude of this change, the court looked closely for a supporting rationale and found none. [40] Likewise in the *Allred* and *Blades* cases, proposals to locate high-density multifamily projects in single-family residential neighborhoods were invalidated.

On the other hand, in the *Chrismon* case there was only a modest change in the allowed uses: the landowner could carry on the storage and the sale of grain under the original zoning; the rezoning allowed the storage and the sale of agricultural chemicals. Further, the site was in the midst of an agricultural area that needed such services. Thus the court could conclude:

... [T]his is simply not a situation ... in which a radically different land use, by virtue of a zoning action, appears in the midst of a uniform and drastically distinct area. No parcel has been "wrenched" out of the Guilford County landscape and rezoned in a manner that "disturbs the tenor of the neighborhood." ... In our view, the use of the newly rezoned tracts ... is simply not the sort of drastic change from possible surrounding uses which constitutes illegal spot zoning. [41]

Another factor is that limitations on the proposed uses included within the zoning approval can be an important factor in minimizing adverse impacts on neighboring properties. For example, a conditional use district rezoning to allow a neighborhood convenience center was upheld in *Purser* in part because "the development of the Center was governed by a conditional use site plan that was designed to integrate the Center into the neighborhood and insure that it would be in harmony with the existing and proposed residential uses on the surrounding property."^[42]

A change in the conditions is not required to justify a rezoning in North Carolina, but it can be an important factor in establishing that a proposed new zoning classification is compatible with surrounding land uses. For example, in *Allgood v. Town of Tarboro*,^[43] a rezoning of a 25-acre tract from residential to commercial use was upheld in part on the basis that in the eight years between the initial adoption of zoning and the challenged rezoning, the surrounding area had substantially changed because of the expansion of an adjoining road, the extension of water and sewer lines, the construction of a school and an apartment complex nearby, and the annexation of the site by the city.

^{1.} For an overview of national spot zoning cases, see 1 KENNETH H. YOUNG, ANDERSON'S AMERICAN LAW OF ZONING §§ 5.12 to 5.22 (4th ed. 1996); 3 EDWARD H. ZIEGLER, JR., RATHKOPF'S THE LAW OF ZONING AND PLANNING §§ 28.01 to 28.05 (4th ed. 1998).

^{2.} N.C. CONST. art. I, § 32.

^{3.} N.C. CONST. art. I, § 34.

^{4.} N.C. CONST. art. I, § 19. The "law of the land" provision of section 19 is the equivalent of the due process clause of the Fourteenth Amendment of the U.S. Constitution. See Chapter 8 for a discussion of constitutional issues.

^{5.} G.S. 153A-341, 160A-383.

^{6.} 254 N.C. 85, 89, 118 S.E.2d 1, 4 (1961).

^{7.} 273 N.C. 430, 160 S.E.2d 235 (1968).

^{8.} *Id.* at 437, 160 S.E.2d at 332.

^{9.} 280 N.C. 531, 187 S.E.2d 35 (1972).

^{10.} *Id.* at 549, 187 S.E.2d at 45.

^{11.} 2 E. C. YOKLEY, ZONING LAW AND PRACTICE § 13-3 at 207 (4th ed. 1978), *quoted with approval* in *Chrismon v. Guilford County*, 322 N.C. 611, 626, 370 S.E.2d 579, 588 (1988).

^{12.} *Id.* See also *Dale v. Town of Columbus*, 101 N.C. App. 335, 399 S.E.2d 350 (1991).

13. Professor Phil Green summarized this point as follows: "I would like to suggest that at root 'spot zoning' is nothing but giving special treatment to one or a few property owners, without adequate justification. . . . If there is a reasonable basis for treating particular property differently from nearby or similar property, that should be enough to support the validity of the zoning."

Philip P. Green, JR., **Questions I'm Most Often Asked: What Is "Spot Zoning"?**, 51 POPULAR GOV'T 50, 50 (Summer 1985).

14. 322 N.C. at 628, 370 S.E.2d at 589 (citations omitted).

15. 80 N.C. App. 285, 341 S.E.2d 739 (1986).

16. *Id.* at 288, 341 S.E.2d at 741.

17. 116 N.C. App. 168, 447 S.E.2d 438 (1994), *rev. denied*, 338 N.C. 524, 453 S.E.2d 179 (1995).

18. 61 N.C. App. 100, 300 S.E.2d 273 (1983). *Cf.* *Rose v. Guilford County*, 60 N.C. App. 170, 298 S.E.2d 200 (1982), in which the court held that summary judgment was inappropriate when the rezoning of a 100-acre tract from an agricultural to a residential district that allowed mobile homes was challenged as arbitrary and capricious on spot and contract zoning grounds.

19. 89 N.C. App. 610, 366 S.E.2d 885, *rev. denied*, 323 N.C. 171, 373 S.E.2d 103 (1988). The fact that an adjacent 16-acre tract owned by the same person had been rezoned to a mobile home park some eleven years earlier did not change the court's conclusion that this was spot zoning.

20. *Mahaffey v. Forsyth County*, 99 N.C. App. 676, 682, 394 S.E.2d 203 (1990), *rev. denied*, 327 N.C. 636, 399 S.E.2d 327 (1991). *But see* *Orange County v. Heath*, 278 N.C. 688, 180 S.E.2d 810 (1971), in which the court held that rezoning a 15-acre tract from a residential district to a mobile home park was not spot zoning because it adjoined a 5-acre tract already in legal use as a mobile home park.

21. 30 N.C. App. 611, 228 S.E.2d 750, *rev. denied*, 291 N.C. 178, 229 S.E.2d 692 (1976). There were two preexisting mobile home parks in the extraterritorial zoning area, both of which were zoned for mobile home use. One was three-fourths of a mile from this tract, the other two-and-one-half miles. The litigation was initiated some five-and-a-half years after the contested rezoning. The court applied a traditional laches analysis and allowed the litigation. G.S. 160A-364.1, which establishes a nine-month statute of limitations for challenging rezonings, was subsequently adopted.

22. 47 N.C. App. 357, 267 S.E.2d 30, *rev. denied*, 301 N.C. 92, 273 S.E.2d 298 (1980). 23. The planning board's reasons for a favorable recommendation were "(1) Because of how long it has been there. (2) You can't tell a man that he can't grow and will have to go up U.S. 74 to expand. (3) How long they have had the land." *Id.* at 359, 267 S.E.2d at 32.

24. 61 N.C. App. 100, 300 S.E.2d 273 (1983). 25. *Id.* at 104, 300 S.E.2d at 275. The court concluded that the rezoning constituted improper contract zoning as well as improper spot zoning.

26. 99 N.C. App. 676, 394 S.E.2d 203 (1990), *rev. denied*, 327 N.C. 636, 399 S.E.2d 327 (1991).

27. *Id.* at 683, 394 S.E.2d at 207.

28. 108 N.C. App. 231, 423 S.E.2d 537 (1992).

29. 116 N.C. App. 168, 447 S.E.2d 438 (1994), *rev. denied*, 338 N.C. 524, 453 S.E.2d 179 (1995).

30. *Id.* at 175.

31. However, the governing board's attempted rezoning would have made this policy, which applied to all land zoned R-A, inapplicable to this site. An argument can be made then that the rezoning is not inconsistent with the policies in the zoning ordinance. This re-emphasizes the importance of being able to point to a comprehensive plan or other planning studies, reports, and policies extrinsic to the zoning ordinance itself.

32. 55 N.C. App. 107, 284 S.E.2d 742 (1981), *rev. denied*, 305 N.C. 299, 290 S.E.2d 702 (1982).

33. The character of the surrounding neighborhood was also a factor in *Finch v. City of Durham*, 325 N.C. 352, 384 S.E.2d 8 (1989), though the spot zoning issue was not explicitly addressed in this taking challenge. The rezoning from commercial to residential use, which was upheld in a taking challenge, was supported by policies of protecting an adjacent residential neighborhood and limiting commercial development to the opposite side of the adjacent interstate highway.

34. 127 N.C. App. 63, 488 S.E.2d 277 (1997).

35. *See also* *Covington v. Town of Apex*, 108 N.C. App. 231, 423 S.E.2d 537 (1992), *rev. denied*, 333 N.C. 462 (1993) (invalidating rezoning of former post office site adjacent to a residential neighborhood to an industrial district to accommodate an electronic assembly operation).

36. 322 N.C. 611, 629, 370 S.E.2d 579, 590 (1988).

37. *Id.* at 633, 370 S.E.2d at 592.

38. 99 N.C. App. 676, 683, 394 S.E.2d 203, 208, *rev. denied*, 327 N.C. 636, 399 S.E.2d 327 (1991).

39. 116 N.C. App. 168, 175-77, 447 S.E.2d 438, ____ (1994), *rev. denied*, 338 N.C. 524, 453 S.E.2d 179 (1995).

40. See also *Mahaffey v. Forsyth County*, 99 N.C. App. 685, 394 S.E.2d 203 (1990), *rev. denied*, 327 N.C. 636, 399 S.E.2d 327 (1991) (holding that auto parts store allowed by rezoning was significantly different from existing surrounding use as rural residential neighborhood).

41. 322 N.C. at 632, 370 S.E.2d at 591-592.

42. 127 N.C. App. 63, 70-71, 488 S.E.2d 277, 282 (1997).

43. 281 N.C. 430, 189 S.E.2d 255 (1972).

Knapp-Sanders Building

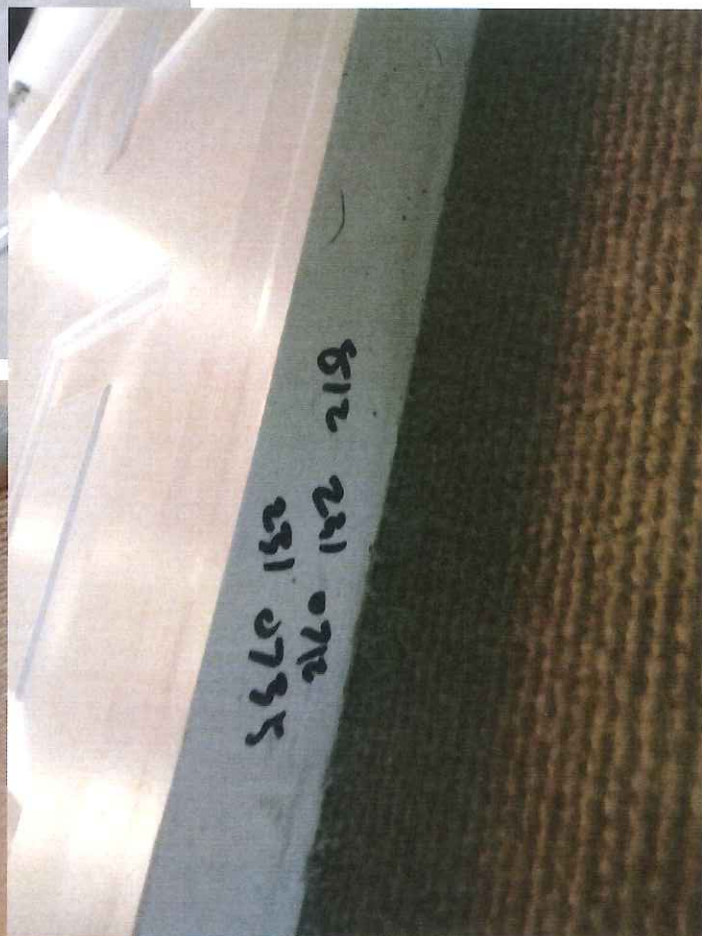
Campus Box 3330

[UNC-Chapel Hill](#), Chapel Hill, NC 27599-3330

T: 919.966.5381 | F: 919.962.0654

Source URL: <http://www.sog.unc.edu/node/950>







225 Highland Court

Local example of home value impacts of apartment development.



Google earth

© 2016 Google

1000 ft



Zillow Listing for 225 Highland Ct. in NE portion of Woodgate Neighborhood



Is this your home?
Bring your listing to
video walkthru

[Learn more](#)

225 Highland Ct,
Terre Haute, IN 47802

3 beds · 2 baths · 2,012 sqft

Nice home for anyone who desires a south side location in a 4-star school district.

FACTS

- Lot: 0.34 acres
- Single Family
- Built in 1970
- 29 days on Zillow
- Views since listing: 2,077
- All time views: 4,268
- 30 shoppers saved this home
- Cooling: Other
- Heating: Heat pump
- Price/sqft: \$55
- MLS #: 77255
- [View Virtual Tour](#)

FEATURES

- Fireplace
- Parking: Garage - Attached, 400 sqft

● **FOR SALE**

\$109,900

Zestimate[®]: \$116,740

EST. MORTGAGE

\$390/mo

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Listed by:

RE/MAX

Price History

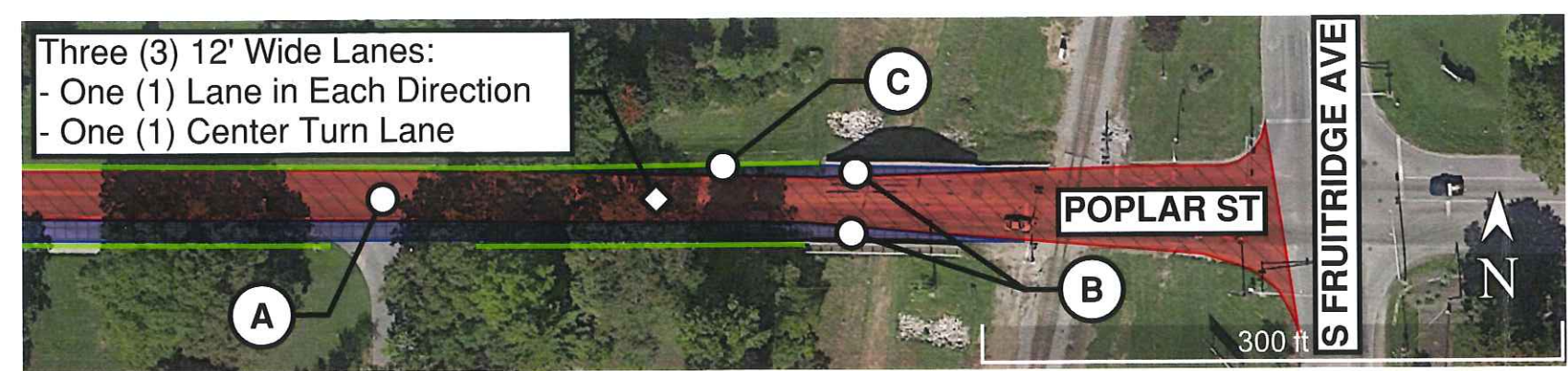
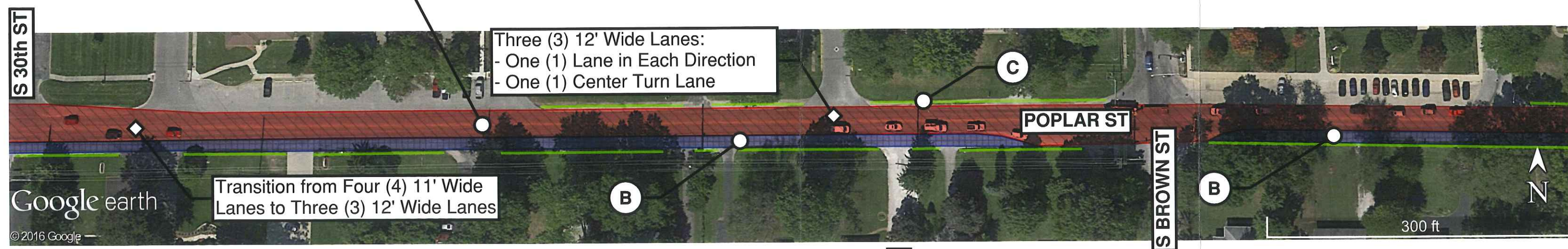
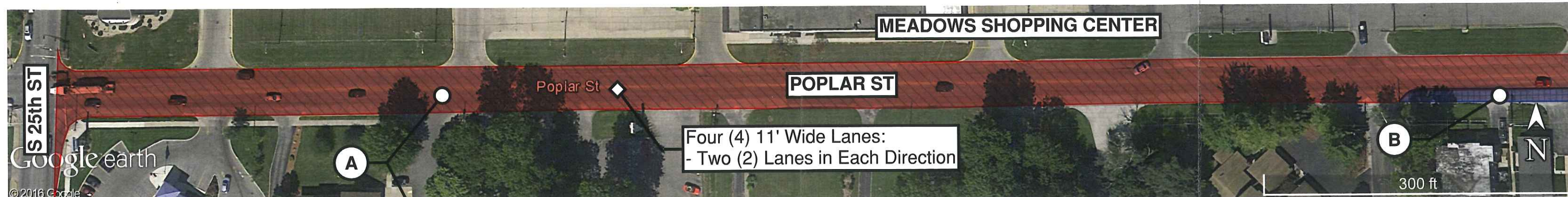
DATE	EVENT	PRICE	\$/SQFT	SOURCE	
03/09/16	Listed for sale	\$109,900	\$54	RE/MAX Real Es...	🚩
01/08/16	Listing removed	\$109,900	\$54	RE/MAX Real Es...	🚩
12/20/15	Price change	\$109,900 -12.1%	\$54	RE/MAX Real Es...	🚩
10/29/15	Price change	\$125,000 -10.7%	\$62	RE/MAX Real Es...	🚩
07/19/15	Listed for sale	\$140,000	\$69	RE/MAX Real Es...	🚩

ESTIMATED PROJECT COST

Total: \$1,710,000.00
20.0% Contingency: \$350,000.00
ESTIMATED TOTAL: \$2,060,000.00

[illegible]

CONCEPTUAL ROAD IMPROVEMENT PLAN - POPLAR ST



LEGEND:

- A) Hot Mix Asphalt (HMA) Resurfacing:
- 165# / SYS HMA, Surface 9.5 mm
- Milling, Asphalt 1 1/2"
- B) Full Depth HMA Pavement:
- 165# / SYS HMA, Surface, 9.5 mm
- 275# / SYS HMA, Intermediate, 19.0 mm
- 330# / SYS HMA, Base, 19.0 mm
- 12" Compacted Aggregate, No. 53, Base
- C) 12" Compacted Aggregate Shoulder (2' Wide), No. 53

CONCEPTUAL ROAD IMPROVEMENT PLAN - ADAMS BLVD



LEGEND:

- A) Hot Mix Asphalt (HMA) Resurfacing:
 - 165# / SYS HMA, Surface 9.5 mm
 - Milling, Asphalt 1 1/2"

CONCEPTUAL TRAFFIC SIGNAL IMPROVEMENT PLAN

600 ft

One-way, two lanes

One-way, two lanes

Add Traffic Signals to Intersection.

Add Traffic Signals to Intersection
- Requires Interconnect with Uncontrolled Railroad Crossing.

PROPOSED APARTMENT COMPLEX

Two Lanes

Existing Traffic Signals at Intersection - interconnected to railroad crossing

Two Lanes

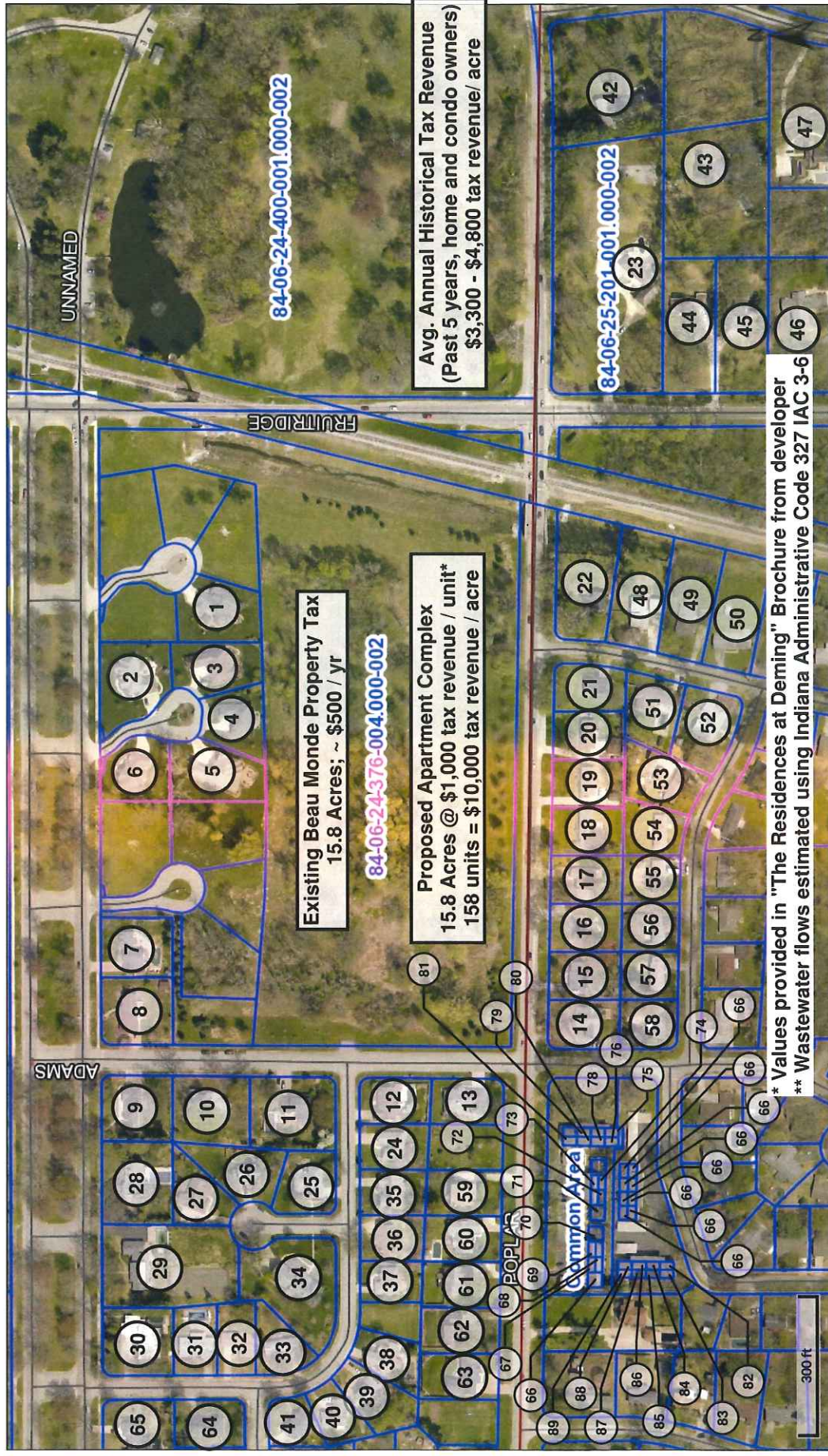
Add Traffic Signals to Intersection.

Two Lanes

TAX REVENUE COMPARISON: Homes vs. Apartments

Annual Property Tax Paid Past 5 years

Created by: Brian Payne (brian.carl.payne@gmail.com)



TAX & SEWER FEE REVENUE COMPARISON:

PROPOSED APARTMENT COMPLEX*:

Property Tax (Estimated over 10 years): \$1,580,000

Sewer Fees (Estimated over 10 years): \$474,000

VS.

CHARACTERISTIC HOME & CONDO DEVELOPMENT:

Property Tax (Est. over 10 years): \$521,400 - \$758,400

Sewer Fees** (Estimated over 10 years): \$452,000

TAX REVENUE DATA & CALCS

ID	LOT SIZE (ACRES)	MIN	MAX	AVG
1	0.49	\$ 3,743.00	\$ 4,646.00	\$ 4,194.50
2	0.57	\$ 3,377.00	\$ 3,979.00	\$ 3,678.00
3	0.44	\$ 3,962.00	\$ 4,215.75	\$ 4,088.88
4	0.36	\$ 3,106.00	\$ 4,665.28	\$ 3,885.64
5	0.52	\$ 3,712.00	\$ 3,962.00	\$ 3,837.00
6	0.41	\$ 3,382.00	\$ 3,588.00	\$ 3,485.00
7	0.42	\$ 2,126.00	\$ 3,020.00	\$ 2,573.00
8	0.48	\$ 2,201.00	\$ 2,553.00	\$ 2,377.00
9	0.46	\$ 1,740.00	\$ 2,551.00	\$ 2,145.50
10	0.52	\$ 1,322.00	\$ 1,658.00	\$ 1,490.00
11	0.62	\$ 1,655.00	\$ 2,302.00	\$ 1,978.50
12	0.32	\$ 2,108.00	\$ 2,584.00	\$ 2,346.00
13	0.33	\$ 2,555.00	\$ 3,229.00	\$ 2,892.00
14	0.35	\$ 1,507.00	\$ 2,017.00	\$ 1,762.00
15	0.34	\$ 1,247.00	\$ 1,388.00	\$ 1,317.50
16	0.35	\$ 577.76	\$ 625.58	\$ 601.67
17	0.35	\$ 690.00	\$ 727.00	\$ 708.50
18	0.35	\$ 953.00	\$ 1,039.00	\$ 996.00
19	0.35	\$ 726.74	\$ 1,206.70	\$ 966.72
20	0.35	\$ 838.00	\$ 1,015.00	\$ 926.50
21	0.32	\$ 704.00	\$ 763.00	\$ 733.50
22	0.71	\$ 1,566.00	\$ 1,717.00	\$ 1,641.50
23	2.79	\$ 10,492.70	\$ 15,609.00	\$ 13,050.85
24	0.32	\$ 1,500.00	\$ 1,916.00	\$ 1,708.00
25	0.36	\$ 1,648.00	\$ 2,062.00	\$ 1,855.00
26	0.41	\$ 1,569.00	\$ 2,044.00	\$ 1,806.50
27	0.33	\$ 1,677.00	\$ 2,120.00	\$ 1,898.50
28	0.59	\$ 2,628.00	\$ 3,282.00	\$ 2,955.00
29	1.11	\$ 3,064.00	\$ 3,893.00	\$ 3,478.50
30	0.48	\$ 1,818.00	\$ 2,323.00	\$ 2,070.50
31	0.3	\$ 1,291.70	\$ 1,319.08	\$ 1,305.39
32	0.27	\$ 876.00	\$ 1,097.00	\$ 986.50
33	0.29	\$ 1,111.00	\$ 1,720.96	\$ 1,415.98
34	0.81	\$ 3,259.00	\$ 4,424.00	\$ 3,841.50
35	0.3	\$ 1,612.00	\$ 2,136.00	\$ 1,874.00
36	0.29	\$ 96.54	\$ 864.82	\$ 480.68
37	0.25	\$ 1,462.00	\$ 1,716.00	\$ 1,589.00
38	0.3	\$ 1,693.18	\$ 2,073.00	\$ 1,883.09
39	0.36	\$ 917.00	\$ 1,102.00	\$ 1,009.50
40	0.26	\$ 867.00	\$ 1,087.00	\$ 977.00
41	0.23	\$ 653.00	\$ 1,025.00	\$ 839.00
42	1.4	\$ 3,073.00	\$ 4,206.00	\$ 3,639.50
43	1.4	\$ 2,018.00	\$ 2,101.00	\$ 2,059.50
44	0.71	\$ 317.94	\$ 525.96	\$ 421.95
45	0.69	\$ 467.06	\$ 1,114.00	\$ 790.53
46	1.4	\$ 919.50	\$ 2,295.48	\$ 1,607.49
47	1.39	\$ 1,334.50	\$ 4,124.23	\$ 2,729.37
48	0.61	\$ 1,055.00	\$ 1,089.00	\$ 1,072.00
49	0.57	\$ 1,061.00	\$ 1,140.00	\$ 1,100.50
50	0.55	\$ 713.00	\$ 1,749.00	\$ 1,231.00

SEWER FEE CALCS

TOTAL "CHARACTERISTIC" DWELLINGS (PER 15.8 ACRES)	40
EST. AVG. FLOW / DWELLING (GPD)	310
EST. AVG. FLOW / DWELLING (CF/DAY)	41.44
EST. AVG. FLOW / DWELLING (CF/MONTH)	1,260.64
MONTHLY VOLUME FEE / DWELLING	\$ 73.15
MINIMUM MONTHLY CHARGE	\$ 45,238.68
TOTAL ANNUAL SEWER FEE	\$ 452,386.82
TOTAL SEWER FEES OVER 10 YEARS	\$ 452,386.82

Sewage Rates Increase

Below are expected sewer rate increases through 2015. The rates will change when July's usage is billed.

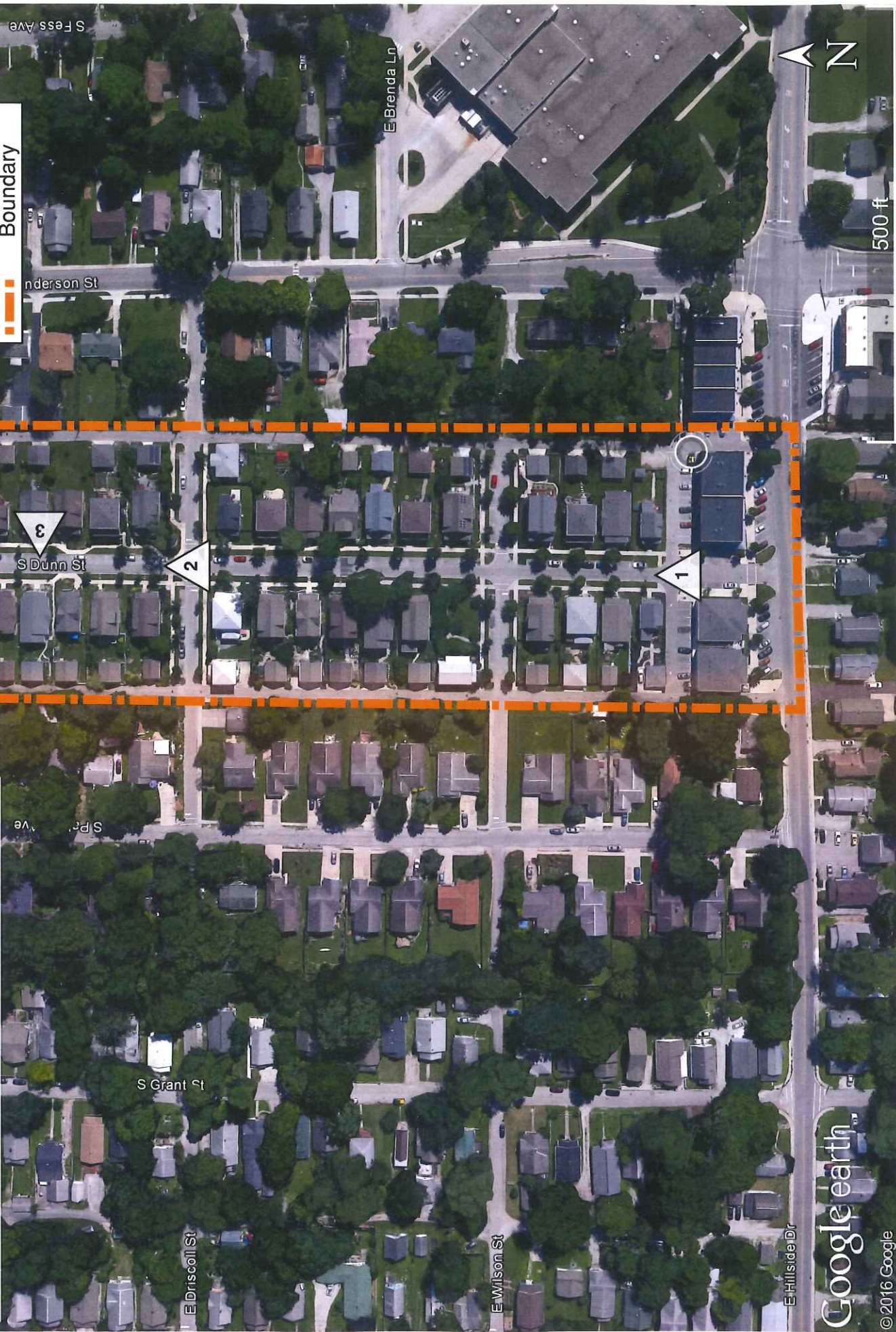
2013	2014	2015
Metered Water Customers	Metered Water Customers	Metered Water Customers
=\$5.59/100 Cubic Feet	=\$6.43/100 Cubic Feet	=\$7.40/100 Cubic Feet
=\$17.50 minimum charge (covers first 300 cubic feet of water usage)	=\$20.13 minimum charge (covers first 300 cubic feet of water usage)	=\$23.16 minimum charge (covers first 300 cubic feet of water usage)
Residential Non-Metered Water Customers (well users)	Residential Non-Metered Water Customers (well users)	Residential Non-Metered Water Customers (well users)
=\$37.29/month	=\$42.89/month	=\$49.35/month

South Dunn St.

New development in Bloomington, IN designed to match the character of existing historic neighborhood

LEGEND

- 1 Street view # and direction
- Boundary



South Dunn St. - Street View #1



South Dunn St. - Street View #2



South Dunn St. - Street View #3



Middleton Hills, 150-ac project off Century Ave – “New Urbanism”; Photos are from Madison, WI’s *The Capital Times*



MIKE DeVRIES - The Capital Times

Julie Bernauer is happy her family built their three-bedroom home in Middleton Hills in 1998. She says it's been everything they wanted: "The kids can walk to school or ride their bikes to the pool."



Buy N



MIKE DeVRIES - The Capital Times

Middleton Hills, a 150-acre project off Century Boulevard, has earned national acclaim. The development was designed by Andres Duany and Elizabeth Plater-Zyberk, the husband-wife team often credited with launching the New Urbanism movement.



Buy N

Also Middleton Hills, From www.brummadison.com



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MORTGAGE

MORTGAGE

How much money can I borrow for a mortgage?

Calculate what you can afford and more

The first step in buying a house is determining your budget. This mortgage calculator will show how much you can afford. Fill in the entry fields and click on the "View Report" button to see a complete amortization schedule of the mortgage payments.

You can purchase a \$180,092 home

Mortgage information:

Press spacebar to hide inputs

Calculate for: Annual income

Annual income: \$50,000

Purchase price: \$180,092

Total monthly payment: \$1,167

Loan amount: \$171,810

Term in years: 30 years 10 19 40

Interest rate: 4.5% 0% 8% 16% 25%

Property tax: 1% 0% 6% 13% 20%

Home insurance: 0.5% 0% 3% 6% 10%

Report amortization: ☒ Annually ☐ Monthly**Down Payment and Closing Costs:**

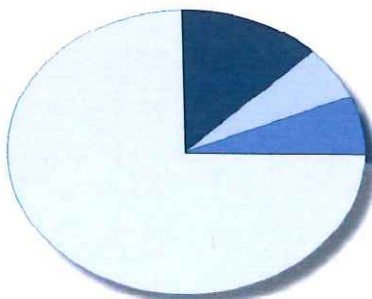
\$1,718

Press spacebar to show inputs

Total monthly debt payments:

\$0

Press spacebar to show inputs

\$1,167 Monthly Payment Breakdown
press spacebar to hide graph

- Home Insurance \$75.04
- PMI \$71.59
- Property taxes \$150.08
- Principal and interest \$870.54

CONNECT WITH US

REFINANCE RATES AVERAGES

Product	Rate	Change	Last week
30 year fixed refi	3.64%	▼ 0.16	3.80%
15 year fixed refi	2.74%	▼ 0.05	2.79%
10 year fixed refi	2.71%	▼ 0.09	2.80%

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\$175k - \$200k is the price at which home construction becomes attractive to builders because they can build quality, attractive homes.

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3.45%APR When Banks
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S1901

INCOME IN THE PAST 12 MONTHS (IN 2014 INFLATION-ADJUSTED DOLLARS)

2010-2014 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	ZCTA5 47803					
	Households		Families		Married-couple families	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total	8,155	+/-345	4,681	+/-302	3,523	+/-298
Less than \$10,000	6.3%	+/-1.6	3.8%	+/-1.7	1.0%	+/-0.9
\$10,000 to \$14,999	4.4%	+/-1.4	1.6%	+/-1.3	0.5%	+/-0.5
\$15,000 to \$24,999	13.0%	+/-2.3	8.4%	+/-2.4	3.9%	+/-2.2
\$25,000 to \$34,999	14.5%	+/-2.4	12.0%	+/-2.8	10.0%	+/-3.4
\$35,000 to \$49,999	15.9%	+/-2.7	14.0%	+/-3.2	13.2%	+/-3.5
\$50,000 to \$74,999	18.6%	+/-2.6	20.5%	+/-3.6	23.2%	+/-4.6
\$75,000 to \$99,999	11.8%	+/-2.2	16.3%	+/-3.3	19.3%	+/-4.2
\$100,000 to \$149,999	9.1%	+/-1.8	13.2%	+/-2.9	16.2%	+/-3.6
\$150,000 to \$199,999	3.2%	+/-1.5	5.4%	+/-2.5	7.2%	+/-3.3
\$200,000 or more	3.1%	+/-1.1	4.8%	+/-1.8	5.6%	+/-2.0
Median income (dollars)	46,297	+/-2,642	62,589	+/-5,655	73,800	+/-3,695
Mean income (dollars)	62,555	+/-3,366	78,322	+/-5,497	N	N
PERCENT IMPUTED						
Household income in the past 12 months	29.1%				(X)	(X)
Family income in the past 12 months	(X)				(X)	(X)
Nonfamily income in the past 12 months	(X)				(X)	(X)

Appx. 46%, or 3,735,
of Terre Haute
households could
afford an quality,
attractive new home.